



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

Mr. Michael Zidanic
Technical and Maintenance Manager
KmX Chemical Corporation
30474 Energy Drive
New Church, Virginia 23415

MAY 22 2015

**Re: KmX Chemical Corporation
EPA Docket No. CAA-III-15-0004**

Dear Mr. Zidanic:

On June 4, 2014, EPA conducted an air compliance evaluation of the KmX Chemical Corporation (KmX Chemical) facility, located at 30474 Energy Drive, New Church, Virginia 23415 (the Facility). Subsequent to this inspection, EPA issued two requests for information, pursuant to Section 114 of the Clean Air Act, 42 USC sec. 7414, and KmX has provided responses to those requests. The June 2014 inspection and the subsequent requests for information are part of an on-going EPA Region III Clean Air Act (CAA) compliance investigation by EPA Region III's Air Protection Division. This is a Notice of Noncompliance and Show Cause Notification relating to the above described on-going CAA compliance investigation.

Based upon EPA's review of information relating to the Facility's CAA compliance, EPA believes that the Facility failed to comply with certain federally enforceable requirements applicable to the Facility. A summary of alleged CAA non-compliance is enclosed herein. See Enclosure B (General Summary of Allegations of Noncompliance with the Clean Air Act). EPA is interested in discussing the areas of non-compliance summarized in Enclosure A with KmX Chemical representatives.

**REQUEST FOR INFORMATION
&
OPPORTUNITY TO CONFER**

In order to initiate discussions regarding this matter, EPA is requesting an opportunity to confer with you and other representatives of the Facility. The purposes of such discussion would be to: 1) discuss any additional information that KmX Chemical representatives may have

demonstrating that EPA's summary of alleged violations set forth in Enclosure A is incorrect and 2) provide any additional information relevant to EPA's determination of whether EPA, Region 3, should consider any potential enforcement action relating to the summary of allegations set forth in Enclosure A.

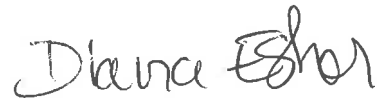
In order to expedite discussion of this matter, by this letter, EPA is requesting a timely response to this letter and submission of any additional information demonstrating that EPA's summary of alleged violations set forth in Enclosure A are not correct. Therefore, EPA is requesting that KmX Chemical representatives respond to this letter within fifteen (15) business days of your receipt of this letter. If KmX Chemical representatives do not respond within fifteen (15) business days of receipt of this letter, the Agency may determine an appropriate enforcement response without further prior notice to you.

Please send any and all information responsive to the above request, and direct any request for a settlement conference, to the attention of:

Mr. Bruce Augustine
Environmental Scientist
Air Protection Division (3AP20)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029
Phone: 215-814-2131

We look forward to discussing this matter further with KmX Chemical Corporation representatives. If you have any questions regarding anything in this letter, please contact Bruce Augustine at your earliest convenience at (215) 814-2131 or at augustine.bruce@epa.gov. Alternatively, in the event that KmX Chemical is represented by legal counsel, such legal counsel may contact Ms. Kathleen Root, Sr. Assistant Regional Attorney, in EPA, Region III's Office of Regional Counsel, at (215) 814-2684 or at root.kathleen@epa.gov.

Sincerely,



Diana Esher, Director
Air Protection Division

Enclosures

cc: Bruce Augustine, Environmental Scientist (3AP20)
Kathleen Root, Sr. Assistant Regional Counsel (3RC10)

